



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

18 - 29 June 2007

This report summarizes regulatory items reviewed by the NASA RRAC PC during the timeframe. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility.

Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.rracpc.org>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Lead, Sharon Scroggins/MSFC at 256-544-7932 (sharon.scroggins@nasa.gov).

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Acronyms

2,4D = 2,4-Dichlorophenoxyacetic acid	NESHAP = National Emission Standards for Hazardous Air Pollutants
ANPRM = Advance Notice of Proposed Rulemaking	NNSR = Nonattainment New Source Review
APC = Air Pollution Control	NOAA = National Oceanic and Atmospheric Administration
BART = Best Achievable Retrofit Technology	NPDES = National Pollutant Discharge Elimination System
CAA = Clean Air Act	NPRM = Notice of Proposed Rulemaking
CAAWG = Clean Air Act Working Group	ODS = Ozone depleting substances
CAS = Chemical Abstract Service	OEHHA = Office of Environmental Health and Hazard Assessment
CCR = Consumer Confidence Report	OEPA = Ohio Environmental Protection Agency
CFR = <i>Code of Federal Regulations</i>	PALS = Plantwide applicability limits
CWA = Clean Water Act	PFAC = Perfluoroalkyl carboxylates
DEA = Drug Enforcement Administration	PFAS = Perfluoroalkyl sulfonates
DEQ = Department of Environmental Quality	PFOS = Perfluorooctane sulfonate
EO = Executive Order	PHG = Public Health Goal
EPA = U.S. Environmental Protection Agency	PHMSA = Pipeline and Hazardous Materials Safety Administration
F.A.C. = Florida Administrative Code	PM = Particulate matter
FAW = Florida Administrative Weekly	ppm = Parts per million
FDEP = Florida Department of Environmental Protection	PSD = Prevention of Significant Deterioration
FHMR = Federal Hazardous Material Regulations	RCRA = Resource Conservation and Recovery Act
FR = <i>Federal Register</i>	RD&D = Research, Development, and Demonstration
F. S. = Florida Statutes	RIN = Regulatory Identification Number
GSE = Ground support equipment	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
HAP = Hazardous air pollutant	SHWB = Solid and Hazardous Waste Branch
HCFC = Hydrochlorofluorocarbon	SIP = State Implementation Plan
HDOH = Hawaii Department of Health	SNUR = Significant new use rule
HEER = Hazard Evaluation and Emergency Response	TAC = Texas Administrative Code
HTML = Hypertext Markup Language	TBD = To be determined
KSC = Kennedy Space Center	U.S. = United States
LAC = Louisiana Administrative Code	VAC = Virginia Administrative Code
MAF = Michoud Assembly Facility	VOC = Volatile organic compound
MDEQ = Mississippi Department of Environmental Quality	VWWP = Virginia Water Protection Permit
MSFC = Marshall Space Flight Center	
MSWLF = Municipal solid waste landfill	
NAAQS = National Ambient Air Quality Standards	
NASA = National Aeronautics and Space Administration	
NECPA = National Energy Conservation Policy Act	

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts on NASA Centers and Programs.

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-118	CAA Implementation Plans	06/29/2007	72 FR 35663	CFR Correction	Requirements for Preparation, Adoption, and Submittal of Implementation Plans [40 CFR 51] Corrects 40 CFR 51 Appendix S to reinstate paragraph II.A.4(iii), concerning the inclusion of fugitive emissions when determining if a stationary source is a major stationary source.	
Fed-2007-119	CAA NAAQS - PM	06/28/2007	72 FR 35462	Notice	Integrated Science Assessment for PM Announces that EPA is preparing an Integrated Science Assessment as part of the review of the NAAQS for PM. Interested parties are invited to assist in developing and refining the scientific information base for PM by submitting research studies that have been published, accepted for publication, or presented at a public scientific meeting. Information due 08/27/2007.	
Fed-2007-120	CAA NESHAP	06/29/2007	72 FR 35663	CFR Correction	National Emission Standards for Hazardous Air Pollutants for Source Categories [40 CFR 63] Corrects 40 CFR 63.1103(e)(2) to add the definition of "Organic HAP".	
Fed-2007-121	CAA ODS - Montreal Protocol	06/27/2007	72 FR 35230	Notice	Protection of Stratospheric Ozone: Notice of Data Availability--Changes in HCFC Consumption and Emissions From the U.S. Proposed Adjustments for Accelerating the HCFC Phaseout Makes available report "Changes in HCFC Consumption and Emissions from the U.S. Proposed Adjustments for Accelerating the HCFC Phaseout". Information gathered and presented in the report concerns the United States' proposal to adjust the HCFC phaseout schedule under the Montreal Protocol on Substances that Deplete the Ozone Layer. Accelerated phaseout could be accomplished through installation of new equipment to better control releases of HCFCs and a broader transition to alternatives. Report is posted on the EPA Ozone Depletion website . Comments due 07/27/2007.	
Fed-2007-122	CWA NPDES - Discharge from Vessels	06/21/2007	72 FR 34241	Notice of Intent	Development of CWA NPDES Permits for Discharges Incidental to the Normal Operation of Vessels Provides early notification that EPA is in the process of developing NPDES permits for the discharge of pollutants incidental to the normal operation of vessels and is seeking comments. This is necessary in light of a US District Court order that will that will revoke the regulatory exclusion for discharges incidental to the normal operation of vessels effective 09/30/2008. Decision implicates all vessels, both commercial and recreational, that have discharges incidental to their normal operation (e.g., deck runoff, graywater, etc). Documents related to the rulemaking petition and the court ruling are posted at http://www.epa.gov/owow/invasive_species/ballast_water.html . Comments due 08/06/2007.	

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-123	EO 13423 Implementing Instructions	06/18/2007	72 FR 33504	Notice of Availability	<p>Council on Environmental Quality</p> <p>Instructions for Implementing Executive Order 13423</p> <p>Notice that the first set of instructions for implementing EO 13423, "Strengthening Federal Environmental, Energy, and Transportation Management" (72 FR 3917) were issued 03/30/2007. Defines requirements for Federal agencies implementing EO 13423 and broad strategies for achieving them. EO 13423 sets goals in the following areas:</p> <ul style="list-style-type: none"> energy efficiency and reductions in greenhouse gas emissions renewable energy water consumption intensity acquisition of green products and services management of toxic and hazardous chemicals waste prevention and recycling solid waste diversion sustainable buildings vehicle fleet management, including alternative fuel use and reduction of petroleum fuel consumption electronics stewardship <p>EO 13423 also reinforces the requirement for more widespread use of environmental management systems to manage and continually improve these sustainable practices. The instructions and further information are available on the FedCenter Environmental Compliance website.</p>	
Fed-2007-124	Hazardous Material Transportation Security of Motor Carrier Shipments	06/27/2007	72 FR 35211	Withdrawal	<p>Pipeline and Hazardous Materials Safety Administration</p> <p>Security Requirements for Motor Carriers Transporting Hazardous Materials [49 CFR 177]</p> <p>Advises that the TSA has assumed the lead role from the PHMSA for rulemaking addressing the security of motor carrier shipments of hazardous materials. Withdraws the ANPRM issued by PHMSA on 07/16/2002 (67 FR 46622) and closes its rulemaking proceeding. PHMSA will continue to consider alternatives for enhancing the safety of explosives stored during transportation as part of other activities. [RIN 2137-AD70]</p>	
Fed-2007-125	National Dredging Policy	06/22/2007	72 FR 34464	Notice	<p>Review of National Dredging Policy</p> <p>Requests comment on the National Dredging Policy and the National Dredging Team's 2003 Action Agenda for Dredged Material Management, which lays out recommended actions to guide the National Dredging Team and support implementation of the National Dredging Policy. Provides a national, unified policy for navigational dredging and focuses Federal agency commitments. Comments due 08/06/2007.</p>	
Fed-2007-126	NECPA Energy-Efficient Products	06/19/2007	72 FR 33696	Proposed Rule	<p>Office of Energy Efficiency and Renewable Energy</p> <p>Federal Procurement of Energy Efficient Products [10 CFR 436]</p> <p>Proposes to promote Federal procurement of energy efficient products. Would establish a requirement for Federal agencies to report implementation of amendments to the NECPA that require Federal agencies to procure ENERGY STAR qualified and Federal Energy Management Program designated products in procurements involving energy consuming products and systems. Provides draft guidance for Federal agencies on implementing the procurement requirements of NECPA. Comments due 08/20/2007. [RIN 1904-AB68]</p>	NASA facilities should be aware of the proposal.

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-127	NOAA Five-Year Research Plan	06/18/2007	72 FR 33449	Notice of Availability	National Oceanic and Atmospheric Administration Draft Revision of the NOAA Five-Year Research Plan Announces the availability of the revised draft NOAA 5-Year Research Plan for 2007-2011 (available on the NOAA Research Council website). Supports the four mission goal areas identified in the NOAA Strategic Plan: <ul style="list-style-type: none"> ▪ Ecosystems ▪ Climate ▪ Weather and Water ▪ Commerce and Transportation Comments due 07/18/2007.	
Fed-2007-128	Waste Management Universal Waste	06/29/2007	72 FR 35666	CFR Correction	Standards for Universal Waste Management [40 CFR 273] Corrects 40 CFR 273.9 by reinstating the definition of "on-site".	

1.2 Status of Selected Continuing Actions in Progress

This section illustrates the status of selected actions the RRAC PC is tracking. Imminent actions are shown in red text. Questions about any of these actions or suggestions for additions to this list should be directed to Sharon Scroggins/MSFC.

Significant Dates		Subject Action [RIN]	Type of Action	Comments
NPRM	08/2007	NESHAP: Defense Land Systems and Miscellaneous Equipment [2060-AM84]	Pre-rule	Possible impact to Ground Operations.
Final Action	08/2008			Will cover surface cleaning, preparation, coating, and stripping operations on non-flight hardware at some NASA facilities. Could affect launch pads and GSE.
NPRM	TBD	ODS: Continued Use of ODS in Mission-Critical Applications	Pre-rule	Space vehicle operational impacts.
Final Action	TBD			NASA is currently in discussions with EPA regarding options to enable future use of relatively small quantities of ODSs for mission-critical applications. It is likely that any options for future production of phased-out ODSs will require the certified destruction of "spent" ODS with an offset of approximately 15%.
ANPRM	03/29/2007	NESHAP: Risk and Technology Review, Phase II [2060-AN85]	Pre-rule	Possible space vehicle operational or materials impacts.
NPRM	08/2007			Evaluation of residual risk remaining after implementation of numerous NESHAPs, including those regulating the Aerospace and Chrome Electroplating source categories. This rulemaking represents a relatively low risk of EPA imposing limits on HAP and VOC levels contained in coatings, cleaning solvents, and other materials used on flight hardware. Potential further restrictions on the chrome electroplating or other source categories also could affect vendor facilities.
Final Action	06/2009			
NPRM	06/2007	Area Sources: Surface Coating and Paint Stripping [2060-AN21]	Pre-rule	Possible space vehicle operational or materials impacts.
Final Action	12/2007			EPA has merged three area source categories into one standard: Autobody Refinishing; Plastic Parts and Products Surface Coating; and Paint Stripping. The resulting standard will regulate certain surface coating, cleaning and paint stripping operations at area sources of HAPs, potentially including some space vehicle operations. For NASA, KSC and MSFC are major sources of HAPs. Other NASA Centers that have HAP emissions would be considered area sources.
NPRM	01/03/2007	NESHAP General Provisions—Once In, Always In [2060-AM75]	Proposed Rule	Possible impacts to facilities, including space flight support facilities.
Final Action	12/2007			KSC and MSFC currently are major sources of HAPs; MAF recently attained "synthetic minor" status. As proposed, this rule potentially could allow MAF to be considered an area source, no longer subject to any NESHAP requirements for major sources. However, this rule also will require any facility switching from major source to area source status to comply with any applicable area source regulations.

Significant Dates		Subject Action [RIN]	Type of Action	Comments
NPRM	03/07/2006 71 FR 11483	SNUR: Perfluorinated Polymers [2070-AD58]	Proposed Rule	Possible space vehicle materials impacts.
Final Action	01/2008			Rule would require manufacturers to notify EPA of any new materials or significant uses of perfluorinated polymers including those containing PFASs; PFACs; fluorotelomers; or perfluoroalkyl moieties that are covalently bound to a carbon or a sulfur atom where the carbon or sulfur atom is an integral part of the polymer molecule.
NPRM	03/10/2006 71 FR 12311	SNUR: Perfluoroalkyl Sulfonates [2070-AJ18]	Proposed Rule	Possible space vehicle materials impacts.
Final Action	05/2007			Rule would limit or eliminate uses of PFAS, a family of chemicals used as additives, waterproofing agents, etc. The rule effectively would allow the use of PFAS chemicals only as components of aviation hydraulic fluids; photoresist substances; anti-reflective coatings; coatings for surface tension, static discharge, and adhesion control related to imaging applications; or as a chemical intermediate. It is unknown whether regulating additional PFAS-related chemicals would affect current operational materials.
NPRM	08/11/2006 71 FR 46144	DEA: Iodine [1117-AA93]	Proposed Rule	Possible space vehicle materials impacts.
Final Action	06/2007			The DEA is proposing to change the way iodine and its mixtures are regulated due to its uses related to illicit drug manufacturing. The rule would require additional controls and facility licensing for purchase, transport, and storage of iodine and mixtures containing more than 2.2 percent iodine, including products used for water disinfection.

1.3 Discussion of Significant Actions and Other Developments

1.3.1 EPA Proposes Strengthening of Ground-level Ozone Standard

EPA is proposing to revise the NAAQS standards for ground-level ozone. The current “primary” 8-hour ozone standard, which is intended to protect public health, is 0.08 ppm. The proposal recommends a standard within a range of 0.070 to 0.075 ppm, although EPA also is requesting comments on alternative standards within a range from 0.060 ppm up to the current standard.

EPA also is proposing revisions to the “secondary” ozone standard to improve protection for plants, trees, and crops from ozone damage during the growing season. Two alternatives to this secondary standard are being proposed: a standard that would be identical to the primary standard; and a cumulative standard aimed at protecting vegetation during the growing season.

EPA has provided a copy of the proposal on its website at:

http://www.epa.gov/air/ozonepollution/pdfs/20070620_o3npr.pdf. Beginning with its publication in the FR, the comment period will extend for 90 days. Four public hearings are scheduled: in Los Angeles and Philadelphia on 30 August 2007; and in Chicago and Houston on 5 September 2007. More information about this rulemaking is posted at <http://epa.gov/groundlevelozone/>.

1.4 Clean Air Act Working Group Updates

1.4.1 Clean Air Act Working Group Telecons for 2007

The Clean Air Act Working Group (CAAWG) will hold telecons on the following Wednesdays in 2007 at 2 p.m. ET, 1 p.m. CT, 12 p.m. MT, and 11 a.m. PT:

- 18 July 2007
- 15 August 2007
- 19 September 2007

- 17 October 2007
- 14 November 2007
- 19 December 2007

2.0 State Regulatory Reviews

The following sections provide details of regulatory actions reviewed for states in which NASA facilities are located.

2.1 Alabama State Regulatory Review

No items of interest were identified during this reporting period for the state of Alabama.

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA-2007-45	Air In-Use Off-Road Diesel Vehicles	06/22/2007	California Register, No. 25z, p. 1089	Notice Public Hearing	Air Resources Board Notice of Public Hearing to Consider the Adoption of a Proposed Regulation for In-Use Off-Road Diesel Vehicles The ARB will conduct a continuation of a public hearing to consider adopting a regulation to reduce emissions of diesel particulate matter and nitrogen oxides from in-use off-road diesel vehicles in California. The hearing will take place during a two-day meeting of the Board, beginning at 9:00 a.m. on 07/26/2007 at the California Environmental Protection Agency, Byron Sher Auditorium, 1001 I Street, Sacramento. The original notice and associated regulatory documents may be found on the ARB website for this rulemaking . Comments due 12:00 noon, 07/26/2007.	
CA-2007-46	Drinking Water	06/22/2007	California Register, No. 25z, p. 1090	Notice of Availability	Office of Environmental Health Hazard Assessment Draft Technical Support Documents On Proposed Public Health Goals for 2,4-D and Chlorite in Drinking Water Announces the availability of the draft technical support documents for proposed Public Health Goals for 2,4-D and chlorite in drinking water. The draft document on 2,4-D is an update of an existing document for this chemical, while the document for chlorite is a new risk assessment. Comments on the draft reports are due 08/06/2007. A workshop related to these documents will be held at 10:00 a.m. on 07/16/2007 at 1515 Clay Street, Oakland.	
CA-2007-47	Drinking Water	06/29/2007	California Register, No. 26z, p. 1138	Notice of Availability	Office of Environmental Health Hazard Assessment Announces the publication of the technical support document for a PHG for glyphosate in drinking water, which is an update of the PHG published in 1997. The final document and responses to comments received are posted on the OEHA Website .	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA-2007-48	Drinking Water	06/29/2007	California Register, No. 26z, p. 1137	Notice of Availability	Office of Environmental Health Hazard Assessment Draft Technical Support Documents on Proposed Public Health Goals for Copper and TCDD (Dioxin) in Drinking Water Announces the availability of the revised draft technical support documents for proposed Public Health Goals (PHGs) for copper and TCDD (2,3,7,8-tetrachlorodibenzodioxin, also known as dioxin) in drinking water. Comments due 07/30/2007. The final document will be posted on the OEHHA Website .	
CA-2007-49	Endangered Species Act	06/19/2007	72 FR 33807	Proposed Rule	Fish and Wildlife Service, Department of the Interior Revised Critical Habitat for the San Bernardino Kangaroo Rat (<i>Dipodomys merriami parvus</i>) [50- CFR 17] Under this proposal, approximately 9,079 acres of land located in San Bernardino and Riverside counties, California would fall within the boundaries of the revised critical habitat designation. Of this 9,079 acres of revised critical habitat, it is proposed to exclude 2,544 acres of land covered by the Woolly-Star Preserve Area Management Plans, the Former Norton Air Force Base Conservation Management Plan, the Cajon Creek Habitat Conservation Management Area Habitat Enhancement and Management Plan, and the Western Riverside County Multiple Species Habitat Conservation Plan from the final designation under section 4(b)(2) of the Endangered Species Act. Comments are due 08/20/2007. [RIN 1018-AV07]	
CA-2007-50	Endangered Species	06/22/2007	California Register, No. 25z, p. 1090	Notice	Fish and Game Commission Uplisting of the delta smelt (<i>Hypomesus transpacificus</i>) from threatened to endangered species status The Fish and Game Commission has received a petition to uplist the delta smelt to endangered species status. Within one year the Department of Fish and Game will provide a written assessment on whether uplisting is warranted.	
CA-2007-51	Hazardous Materials	06/15/2007	California Register, No. 24-Z, p. 1043	Notice Public Hearing	Department of Toxic Substance Control Permit by Rule for Treatment of Aqueous Wastes Containing Cyanides [22 CCR 67450.11] DTSC will hold a public hearing on the proposed regulations at 10:00 a.m. on 07/31/2007 in the Sierra Hearing Room, 1001 "I" Street, Sacramento. Comments due 07/31/2007.	
CA-2007-52	Hazardous Materials	06/15/2007	California Register, No. 24z, p. 1053	Proposed Rule	Office of Environmental Health Hazard Assessment <u>Proposes</u> to add gallium arsenide [CAS No. 1303-00-0] to the state list of carcinogenic chemicals, for the purposes of Proposition 65, and hexafluoroacetone [CAS No. 684-16-2], nitrous oxide [CAS No. 10024-97-2] and vinyl cyclohexene dioxide [CAS No. 106-87-6] to the list of chemicals known to the state to cause reproductive toxicity. OEHHHA will hold an informal workshop regarding these actions at 10:00 a.m. on 07/16/2007 in the Coastal Hearing Room, 1001 "I" Street, Sacramento. Comments due 07/16/2007.	
CA-2007-53	Proposition 65	06/22/2007	California Register, No. 25z, p. 1091	Request for Information	Office of Environmental Health Hazard Assessment Methanol Under Consideration for Possible Listing via the Authoritative Bodies Mechanism OEHHA is investigating the <u>possible listing of Methanol</u> as a chemical causing cancer or reproductive toxicity under Proposition 65. Comments due 08/21/2007.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA-2007-54	Proposition 65	06/29/2007	California Register, No. 26z, p. 1123	Proposed Rule	OEHHA OEHHA proposes to establish a specific regulatory level having no observable effect for di(n-butyl)phthalate (DBP); background documents are available on the OEHHA Website . A public hearing to present oral comments will be scheduled upon request. Comments due 08/13/2007.	
CA-2007-55	RCRA	06/19/2007	72 FR 33757	Proposed Rule	Adequacy of California Municipal Solid Waste Landfill Permit Program EPA Region IX is proposing to approve a modification to California's MSWLF permit program to allow the State to issue RD&D permits for new and existing MSWLF units and lateral expansions. The modification will allow variances from certain MSWLF criteria, provided that compliance with the RD&D permit will not increase risk to human health and the environment. Variances may be granted for run-on control systems, liquids restrictions, and final cover. EPA is seeking public comment on its tentative determination of adequacy of California's RD&D modification to its MSWLF permit program. Comments due 08/13/2007.	
CA-2007-56	Waste	06/29/2007	California Register, No. 26z, p. 1146	Final Rule	Department of Toxic Substances and Controls Alternative Management Standards for Treated Wood Waste This regulatory action, filed 06/18/2007, provides alternative management standards for treated wood waste. Effective 07/01/07	

2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL-2007-51	Hazardous Waste Substantial Modifications	06/22/2007	FAW Notice #4177710	Notice Rule Development	Chapter 62- FDEP 730 – Hazardous Waste The rulemaking will fulfill a statutory requirement that the FDEP adopt criteria to determine whether any proposed change at certain hazardous waste facilities constitutes a "substantial modification." Section 403.7211, F.S., establishes specific siting requirements for permitted hazardous waste facilities that manage hazardous waste generated offsite, including federal facilities with hazardous waste permits. FDEP is prohibited from issuing a permit for the substantial modification of such facility unless the siting requirements are met. The statute defines substantial modification as "any physical change in, change in the operations of, or addition to a facility which could increase the potential offsite impact, or risk of impact, from a release at that facility; and any change in permit conditions which is reasonably expected to lead to greater potential impacts or risks of impacts, from a release at that facility," and directs FDEP to adopt criteria, by rule, to determine whether a facility has been substantially modified.	
FL-2007-52	Water Delegations	07/01/2007	FAW Notice #4300512	Final Rule	Chapter 62 - FDEP 113 – Delegations The Operating Agreements between FDEP and the Suwannee River, St. Johns River, Southwest Florida, and South Florida Water Management Districts (Districts) provide a division of responsibility between FDEP and each water management district (District) regarding permitting, compliance, and enforcement.	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL-2007-53	Water Groundwater	06/22/2007	FAW Notice #4262100	Notice Rule Development Workshop	<p>Chapter 62- FDEP 520 – Groundwater Classes, Standards, and Exemptions</p> <p>The FDEP is developing amendments to update contents and reporting requirements for ground water monitoring plans, and is making some procedural changes. This rule development addresses contents of the ground water monitoring plan, modifications to reporting requirements, references a FDEP Well Design and Construction Manual, and updates administrative procedures.</p> <p>A rule development workshop is scheduled for 07/11/2007 at 1:00 p.m. at 2600 Blair Stone Road, Tallahassee, Florida.</p>	
FL-2007-54	Water Groundwater	06/22/2007	FAW Notice #4266174	Notice Rule Development, Workshop	<p>Chapter 62- FDEP 522 – Groundwater Permitting and Monitoring Requirements</p> <p>This chapter is being repealed and its provisions are being added to Chapter 62-520, F.A.C., along with other amendments to Chapter 62-520, F.A.C.</p> <p>A rule development workshop is scheduled for 07/11/2007 at 1:00 p.m. at 2600 Blair Stone Road, Tallahassee, Florida.</p>	
FL-2007-55	Water Interagency Agreements	07/01/2007	FAW Notice #4254825 , #4254922 and #4255019	Final Rule	<p>Chapter 40C- FDEP 1.106 – Interagency Agreements; Chapter 40C- FDEP 4.091 – Publications Incorporated by Reference; Chapter 40C- FDEP 4.302 – Additional Conditions for Issuance of Permits</p> <p>The final rule will incorporate by reference an amended operating agreement between the St. Johns River Water Management District and FDEP regarding regulatory responsibilities under Part IV, Chapter 373, F. S. The operating agreement addresses the division of responsibilities between the two agencies for permitting, compliance, enforcement, and for wetland determinations.</p>	
FL-2007-56	Water Permits	06/22/2007	FAW Notice #4251915	Proposed Rule	<p>Chapter 62 – FDEP 343 – Environmental Resource Permit Procedures</p> <p>The existing rule requires the FDEP to inspect a permitted system upon receipt of the permittee's notice of completion of construction prior to converting to the operation phase. The proposed rule would allow FDEP to authorize conversion to the operation phase with or without FDEP's inspection.</p>	
FL-2007-57	Water Testing	06/22/2007	FAW Notice #4278978 , #4279269 , #4279075	Notice Workshop	<p>Chapter 62 –FDEP 302 – Surface Water Standards; FDEP 4 – Permits; FDEP 620 – Wastewater Facility Activities Permitting</p> <p>FDEP is updating its rules related to whole effluent toxicity testing. The rules affected include the acute and chronic toxicity definitions in Chapter 62-302 (Surface Water Standards); new language specifying permit compliance limits for whole effluent toxicity testing in Chapter 62-4 (Permits); and new language specifying whole effluent toxicity sampling and testing procedures in Chapter 62-620 (Wastewater Facility Activities and Permitting). The purpose of the proposed revisions and additions is to more closely match EPA requirements for whole effluent toxicity testing, and to clarify existing whole effluent toxicity test procedures.</p> <p>This workshop is scheduled for 07/10/2007 at 1:00 p.m. at FDEP, Bob Martinez Office Building, 2600 Blair Stone Road, Room 609, Tallahassee, Florida. An alternate workshop is scheduled for 07/12/2007 at 1:00 p.m. at FDEP, Central District Office, 3319 Maguire Boulevard, Conference Room A, Orlando, Florida.</p>	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL-2007-58	Water St. John's Water Management District	06/22/2007	FAW Notice #4278493	Notice Meeting	Chapter 40C – St. John's River Water Management District The St. Johns River Water Management District will hold a public Projects and Land Committee Business meeting; the agenda is available at www.sjrwm.com . This meeting is scheduled for 07/09/2007 at 3:00 p.m. at the District Headquarters, Executive Building, Room 162, 4049 Reid St. (Hwy. 100 West), Palatka, FL 32177.	

2.4 Hawaii State Regulatory Review

This summary includes items that were reviewed for potential impact to NASA Centers and Programs in Hawaii.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
HI-2007-06	Remediation	06/27/2007	HDOH website	Notice of Availability	HDOH Long Term Management of Petroleum-Contaminated Soil and Groundwater The technical memorandum serves as an addendum to the HEER office document " Screening for Environmental Concerns at Sites with Contaminated Soil and Groundwater (May 2005 and updates) ". This addendum outlines procedures for long-term management of residual petroleum contamination in soil and groundwater at sites where active cleanup is no longer practicable. The main objective of the guidance is to allow site closure of low-risk and low priority cases where remaining contamination is minimal and does not pose a significant risk to human health and the environment, although a limited area of soil and groundwater is contaminated above HDOH environmental action levels. Applies to both petroleum releases overseen by the HDOH HEER and SHWB offices.	

2.5 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impact to NASA Centers and Programs in Louisiana.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA-2007-14	Air Permits	06/20/2007	Louisiana Air Permit Applications website	Forms Revisions	New and revised air permit application forms have been developed. Click here for the schedule for implementing these forms.	Use New Forms for Any Permit Updates
LA-2007-15	Air Permits	06/20/2007	LAC 33	Final Rule	Title 33 Part I Subpart 1 Chapter 18 (LAC 33:I.1801, 1803, 1805, 1807, and 1809) - Expedited Permit Processing Program Establishes a program for expediting the processing of permits, modifications, licenses, registrations, or variances for environmental permit applicants who may request such services.	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA-2007-16	Air Sulfur Dioxide	06/20/2007	LAC 33	Final Rule	<p>Title 33 Part III Chapter 15 (LAC 33:III.1502, 1503, 1507, 1511, and 1513) – Emission Standards for Sulfur Dioxide</p> <p>Specific changes to this rule can be reviewed in document AQ271. Changes and/or clarifications within this rule are as follows:</p> <ul style="list-style-type: none"> For sulfur dioxide, Test Method 6 is replaced with Test Method 6C. For oxides of nitrogen, Test Method 7 is replaced with Test Method 7E. Defines the monitoring, recordkeeping, and reporting requirements applicable to sources subject to any provision of LAC 33:III.1511. Places emphasis on the method of compliance for those sources that choose alternative compliance methods under LAC 33:III.1511.C. Establishes new criteria by which an emissions unit may be determined to be exempt from the provisions of LAC 33:III.Chapter 15 and by which this Chapter may be determined to not apply to an emissions unit. This Chapter no longer applies to sources that emit less than five tons per year of sulfur dioxide. Sources that comply with 40 CFR 75 are exempt from the recordkeeping requirements of this Chapter. Changes the method by which an emissions unit may seek a four-hour exemption under LAC 33:III.1507. Rather than wait for approval from the department, the source may instead submit a report after the fact that documents the activity to be exempted. 	
LA-2007-17	Radiation Licensing of Radioactive Material	06/20/2007	LAC 33	Final Rule	<p>Title 33 Part XV Chapter 1 (LAC 33:XV.102) – General Provisions and (LAC 33:XV.361, and 399) – Licensing of Radioactive Material</p> <p>Serialization of Nationally Tracked Sources. Each licensee who manufactures a nationally tracked source after 02/06/2007, shall assign a unique serial number to each nationally tracked source. Serial numbers must be composed only of alpha-numeric characters.</p>	

2.6 Maryland State Regulatory Review

No items of interest were identified during this reporting period for Maryland.

2.7 Mississippi State Regulatory Review

This summary includes items that were reviewed for potential impact to NASA Centers and Programs in Mississippi.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MS-2007-01	Air State Implementation Plan: Prevention of Significant Deterioration	06/26/2007	Proposed Regulations Website Includes APC-S-5	Proposed Amendment	<p>Proposed SIP Revisions</p> <p>Proposes to revise the Mississippi SIP to meet the requirements of Section 110(a)(2)(D)(i) of the Federal CAA addressing interstate air pollution transport for the 1997 8-hour and PM_{2.5} NAAQS as it pertains to prevention of significant deterioration of air quality and visibility. Includes:</p> <ul style="list-style-type: none"> Proposed amendments to "Regulations for the Prevention of Significant Deterioration of Air Quality", APC-S-5 to adopt, by reference, federal regulations as promulgated in 40 CFR parts 51.166 and 52.21 in order to make the state regulations consistent with the federal requirements. Proposed language to clarify that concerning the federal regional haze regulations, MDEQ can not assess whether there is any interference with measures designed to protect visibility in any applicable SIP for any other state until regional haze SIPs are finalized. MDEQ is actively working towards regional haze SIP development and is planning to submit a regional haze SIP Revision by 12/17/2007. <p>A public hearing is scheduled for 10:00 a.m. on 07/17/2007 at 101 West Capitol St., Jackson, Mississippi.</p>	SSC should be aware of these changes when modifying air permits.

2.8 New Mexico State Regulatory Review

This summary includes items that were reviewed for potential impact to NASA Centers and Programs in New Mexico.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM-2007-12	CAA State Implementation Plan	06/20/2007	72 FR 33933	Proposed Rule	<p>Approval and Promulgation of New Mexico Air Quality Implementation Plans, Prevention of Significant Deterioration and New Source Review [40 CFR 52]</p> <p>Proposes to approve revisions to the New Mexico SIP. The proposed revisions modify New Mexico's PSD and NNSR regulations in the SIP to address changes to the Federal PSD and NNSR regulations, which were promulgated by EPA on 12/31/2002 [67 FR 80185] and reconsidered with minor changes on 11/07/2003 [68 FR 63021]. The proposed revisions include provisions for baseline emissions calculations, an actual-to-projected-actual methodology for calculating emissions changes, options for PALs, and recordkeeping and reporting requirements. Comments due 07/20/2007.</p>	

2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH-2007-42	Air Permit Terms and Conditions	06/19/2007		Notice	Permit Terms and Conditions Library Now Available for Public View OEPA DAPC has been working for many years on a database of terms and conditions for use by the internal permitting staff to draft permits. The Permit Terms and Conditions Library is organized by source categories and the various rules that regulate them. The main purpose of the DAPC Terms and Conditions Library is to establish a central location where terms can be selected by the permitting staff, and in order to draft permits that are consistent for both the industry and the air pollution control technology they employ. The Library is constantly undergoing change; new terms are being added for both old and new rules, old terms are being modified, and terms are being added from issued permits. This library is now available for public view on OEPA, DAPC's Permit Terms and Conditions Library website.	

2.10 Texas State Regulatory Reviews

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register* published in HTML file format. Current and historical versions of the *Texas Register* in HTML and Adobe Acrobat (.pdf) file format can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX-2007-24	Hazardous Materials Transport	06/22/2007	32 Texas Register 3836	Proposed Rules	Texas Department of Public Safety Regulations Governing Hazardous Materials [37 TAC 4.1] Incorporates by reference the FHMR [49 CFR Parts 107 (Subpart G), 171 - 173, 177, 178, and 180], as amended through 06/01/2007. One amendment to the FHMR may be of particular interest to NASA facilities: <ul style="list-style-type: none"> ▪ 72 FR 25161 - Amends the Hazardous Materials Regulations to revise and consolidate the requirements applicable to the use of the certain International transport standards. Also authorizes the use in domestic transportation of portable tanks, cargo tank motor vehicles, and rail tank cars manufactured in accordance with Transport Canada's Transportation of Dangerous Goods Regulations. A public hearing will be held at 9:00 a.m. on 07/10/2007 at 5805 North Lamar, Austin, Texas.	NASA facilities and programs, including logistics organizations, should be aware of this change.

2.11 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA-2007-15	Air BART	06/25/2007	Virginia Register Vol. 23, Issue 21, p. 3455	Final Rule	9 VAC 5-20. General Provisions Amends 9 VAC 5-20-21, applicable to existing stationary sources that are subject to Best Available Retrofit Technology requirements. The regulation describes applicability, exemptions from control and defines terms unique to the rule; establishes a standard for regional haze pollutants; describes criteria and procedures for making BART determinations; specifies compliance requirements, including testing schedules; and outlines other related information. Effective 08/01/2007.	
VA-2007-16	Air Particulate Matter	06/25/2007	Virginia Register Vol. 23, Issue 21, p. 3454	Final Rule	9 VAC 5-30. Ambient Air Quality Standards Revises 9 VAC-5-30 to add a new 24-hour standard for PM. Effective 08/01/2007.	
VA-2007-17	Water Permits	06/25/2007	Virginia Register, Vol. 23, Issue 21, p. 3464	Final Rule	9 VAC 25-210. Virginia Water Protection Permit Program Regulation Amends 9 VAC 25-210 to clarify which water withdrawals are excluded from the permit requirement and under what conditions. The amendments also institute a pre-application panel and public review process; create an Emergency VWPP for public water supplies during drought; define cumulative impacts on instream flow; create a variance provision to address temporary relaxation of permits during a drought; and establish a joint public notice process for surface water projects that require a VWPP and a Virginia Marine Resources Commission Permit.	
VA-2007-18	Water Water Quality Assessment	06/25/2007	Virginia Register, Vol. 23, Issue 21, p. 3617	Notice of Availability	2008 Water Quality Assessment Guidance Manual The DEQ has released the Final 2008 Water Quality Assessment Guidance Manual, which is available on the DEQ Water Quality Assessment webpage .	